



State of Utah

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Environmental Quality

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DIVISION OF SOLID AND
HAZARDOUS WASTE
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October 10, 2013

Gary Richins, Environmental Manager
R.N. Industries (RNI)
244 West Hwy 40
P.O. Box 98
Roosevelt, Utah 84066

RE: RNI Wonsit Class IIIb Oil and Gas Exploration and Production Waste Landfill Permit

Dear Mr. Richins:

The 30-day public comment period for the RNI Wonsit Class IIIb Oil and Gas Exploration and Production Waste landfill draft permit began September 3, 2013 and ended October 3, 2013. No comments were received.

Enclosed is the final permit (#1302), with an effective date of October 15, 2013 and an expiration date of October 15, 2023. A public notice of the permit issuance will appear in the local newspaper.

If you have any questions, please contact Doug Taylor at (801) 536-0240.

Sincerely,

Scott T. Anderson, Director
Division of Solid and Hazardous Waste

STA/DT/kk

Enclosure

c: Roger Chapman, President, RNI
L. Boyd Breeding, P.E., Supervising Engineer, MWH
Joseph B. Shaffer, MA, MBA, EHS, Health Officer, Tri-County Health Department
Darrin Brown, LEHS, Environmental Health Director, Tri-County Health Department
Scott Hacking, P.E., District Engineer
Karen Cambridge, Ute Tribe DNR

DSHW-2013-005780

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**UTAH DIVISION OF SOLID AND HAZARDOUS WASTE
SOLID WASTE PERMIT**

**RNI Wonsit
CLASS IIb Oil and Gas Exploration and Production Waste LANDFILL**

Pursuant to the provisions of the *Utah Solid and Hazardous Waste Act*, Title 19, Chapter 6, Part 1, Utah Code Annotated (Utah Code Ann.) (the Act) and the *Utah Solid Waste Permitting and Management Rules*, Utah Administrative Code R315-301 through 320 adopted thereunder, a Permit is issued to

R.N. Industries
(Permittee)

to own, construct, and operate the RNI Wonsit Class IIb Oil and Gas Exploration and Production Waste Landfill located in SE ¼ of Section 26; NE 1/4 Section of 35, Township 8 South, Range 21 East, Salt Lake Base and Meridian, Uintah County, Utah as shown in the Permit Application that was determined complete on July 10, 2013, Document Number 2013-003732.

By acceptance of this Permit, the Permittee agrees to be subject to the requirements of R315-301 through 320 of the Utah Administrative Code, as set forth herein and the conditions set forth herein.

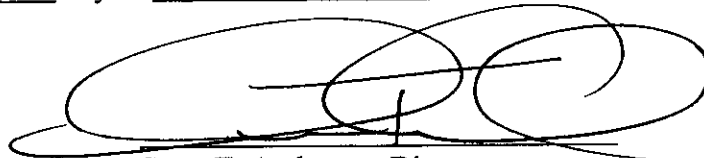
All references to R315-301 through 320 of the Utah Administrative Code are to regulations that are in effect on the date this Permit becomes effective.

This Permit shall become effective: October 15, 2013

This Permit shall expire at midnight: October 15, 2023

Closure Cost Revision Date: October 15, 2018.

Signed this 10th day of October, 2013.

A large, stylized handwritten signature in black ink, appearing to read 'Scott T. Anderson', is written over a horizontal line.

Scott T. Anderson, Director
Division of Solid and Hazardous Waste

FACILITY OWNER/OPERATOR INFORMATION

LANDFILL NAME: RNI Wonsit Class IIIb Oil and Gas Exploration and Production Waste Landfill

OWNER NAME: R.N. Industries

OWNER ADDRESS: 374 East Chapita Grove Road, Uintah County, Utah 84078

OWNER PHONE NO.: 435-503-5294

OPERATOR NAME: R.N. Industries

OPERATOR ADDRESS: P.O. Box 98, Roosevelt, Utah 84066

OPERATOR PHONE NO.: 435-722-2800

TYPE OF PERMIT: Class IIIb Oil and Gas Exploration and Production Waste Landfill

PERMIT NUMBER: 1302

LOCATION: Landfill site is located in Township 8 South, Range 21 East, Section(s) 26 and 35, SLMB Uintah County, Lat. 40° 19' 59.5", Long. 109° 31' 15.3"

FACILITY ADDRESS: 374 East Chapita Grove Road, Uintah County, Utah 84078

PERMIT REQUIREMENTS

The term "Permit" as used in this document is defined in R315-301-2(55) of the Utah Administrative Code. The title "Director" as used throughout this Permit refers to the Director of the Division of Solid and Hazardous Waste.

The Wonsit Class IIIb Oil and Gas Exploration and Production Waste Landfill (hereinafter referred to as a Class IIIb Landfill) Permit Application dated May 2013, Document Number 2013-003732, as deemed complete on the date shown on the signature page of this Permit, is hereby incorporated by reference into this Class IIIb Landfill Permit and shall be referred to as the "Permit Application" throughout this Permit. The Permit Application is enforceable under R315-301-5(2) of the Utah Administrative Code. The Permit Application shall become part of the operating record of the Class IIIb Landfill. Where differences in wording exist between this Permit and the Permit Application, the wording of this Permit supersedes that of the Permit Application.

This Permit consists of the signature page, Facility Owner/Operator Information Section, Sections I through V, and the Permit Application as defined above.

This Permit authorizes the Permittee to establish Class IIIb landfill cells on a 161-acre parcel identified in Appendix A of the Permit Application. The Permittee is authorized to construct a 7.2 acre Class IIIb landfill cell at NW ¼, NE ¼, Section 35, T 8 S, R 21 W, SLBM. The latitude and longitude of the center of the 7.2 acre Class IIIb landfill cell is lat. 40° 5' 9.48" long. -109° 31' 10.96." The Permittee shall request modification of this permit to construct any additional cells.

Compliance with this Permit does not constitute a defense to actions brought under any other local, state, or federal laws. This Permit does not exempt the Permittee from obtaining any other local, state or federal permits or approvals required for the facility operation.

This Permit does not convey any property rights, other than the rights inherent in this Permit, in either real or personal property, or any exclusive privileges other than those inherent in this Permit. This Permit does not authorize any injury to private property or any invasion of personal rights, or any infringement of federal, state or local laws or regulations, including zoning ordinances.

The provisions of this Permit are severable. If any provision of this Permit is held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this Permit to any circumstance is held invalid, its application to other circumstances shall not be affected.

By this Permit, the Permittee is subject to the following conditions.

I. GENERAL COMPLIANCE RESPONSIBILITIES

A. General Operation

The Permittee shall operate the Class IIIb Landfill in accordance with all applicable requirements of R315-304 of the Utah Administrative Code that are in effect as of the date of this Permit unless otherwise noted in this Permit. The Permittee agrees to be subject to the provisions of R315-304 of the Utah Administrative Code as set out in this Permit. Any permit noncompliance or noncompliance with any applicable portions of R315-301 through 320 of the Utah Administrative Code as set out in this Permit may constitute a violation of the Permit or applicable rule and is grounds for appropriate enforcement action, permit revocation, modification, or denial of a permit renewal application.

B. Noncompliance

If monitoring, inspection, or testing indicates that any permit condition or any applicable rule under R315-301 through 320 of the Utah Administrative Code may be or is being violated, the Permittee shall promptly make corrections to the operation or other activities to bring the facility into compliance with all permit conditions or rules.

In the event of any noncompliance with any permit condition or violation of an applicable rule, the Permittee shall promptly take any feasible action reasonably necessary to correct the noncompliance or violation and mitigate any risk to the human health or the

environment. Actions may include eliminating the activity causing the noncompliance or violation and containment of any waste or contamination using barriers or access restrictions, placing of warning signs, or permanently closing areas of the facility.

The Permittee shall document the noncompliance or violation in the operating record on the day the event occurred or the day it was discovered. The Permittee shall notify the Director by telephone within 24 hours, or the next business day following documentation of the event. The Permittee shall give written notice of the noncompliance or violation and measures taken to protect human health and the environment within seven days of Director notification.

Within thirty days of the documentation of the noncompliance, the Permittee shall submit to the Director a written description of the policies and procedures that have been or will be implemented to prevent the noncompliance or violation from recurring. Upon review of the submittal, the Director may require the Permittee to perform appropriate remedial measures, including development of a site remediation plan for approval by the Director.

In an enforcement action, the Permittee may not claim as a defense that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with R315-301 through 320 of the Utah Administrative Code and this Permit.

C. Inspections and Inspection Access

The Permittee is subject to R315-302-2(5) of the Utah Administrative Code and shall allow the Director or an authorized representative, or representatives from the TriCounty Health Department, to enter at reasonable times and:

1. Inspect the Class IIb Landfill or other premises, practices or operations regulated or required under the terms and conditions of this Permit;
2. Have access to and copy any records required to be kept under the terms and conditions of this Permit;
3. Inspect any loads of waste, treatment facilities or processes, pollution management facilities or processes, or control facilities or processes required under this Permit; and
4. Create a record of any inspection by photographic, video, electronic, or any other reasonable means.

D. Prohibited Waste

1. All types of Solid Waste as defined by 19-6-102(19), Utah Code Annotated.
2. Hazardous waste as defined by R315-1 and R315-2, of the Utah Administrative Code;

3. PCBs as defined by R315-301-2(53) of the Utah Administrative Code;
4. Household waste as defined by R315-301-2(33) of the Utah Administrative Code;
5. Municipal waste as defined by R315-301-2(47) of the Utah Administrative Code;
6. Commercial waste as defined by R315-302-2(14) of the Utah Administrative Code.

Any prohibited waste disposed in the Class IIIb cell shall constitute a violation of this Permit, of Utah Code Ann. § 19-6-101 through 123 and of R315-301 through 320 of the Utah Administrative Code.

E. Acceptable Waste

The Permittee may accept any non-liquid exploration and production waste.

F. Revocation

This Permit is subject to revocation if the Permittee fails to comply with any condition of the Permit. The Director will notify the Permittee in writing prior to any proposed revocation and such action shall be subject to all applicable procedures established under R305-7 of the Utah Administrative Code and the Utah Administrative Procedures Act.

G. Attachment Incorporation

Attachments to the Permit Application are incorporated by reference into this Permit and are enforceable conditions of this Permit, as are documents incorporated by reference into the attachments. Language in this Permit supersedes any conflicting language in the attachments or documents incorporated into the attachments.

H. Ground Water Monitoring

The Permittee shall monitor the ground water underlying the Class IIIb landfill in accordance with the Ground Water Monitoring Plan, Section 2.6, Ground Water and Surface Water Monitoring Plan, (the Plan) contained in the Permit Application. If necessary, the Permittee may modify the Plan in accordance with R315-311 of the Utah Administrative Code.

II. DESIGN AND CONSTRUCTION

A. Design and Construction

The Permittee shall convert Pond Nine with its existing liner system to the Class IIIb landfill cell. Any expansion of the Class IIIb landfill cell shall be done in accordance with the design outline submitted in the Permit Application and a detailed design

submitted to and approved by the Director. Expansion of the Class IIIb landfill cell will require a modification to this Permit.

Final cover shall be constructed according to the design outline submitted as part of the Permit Application. The Permittee shall submit a detailed design to the Director for approval prior to any construction.

Construction of any additional Class IIIb landfill cells within the area covered by this permit will require approval by the Director of detailed designs and will require a modification to this Permit.

If ground water is encountered during excavation of the Class IIIb Landfill, the Director shall be notified immediately, and an alternative construction design developed and submitted for approval.

All engineering drawings submitted to the Director shall be stamped by a professional engineer with a current registration in Utah.

B. Run-On Control

The Permittee shall construct drainage channels and diversions as specified in the Permit Application and shall maintain them at all times to effectively prevent runoff from the surrounding area from entering the Class IIIb Landfill.

III. LANDFILL OPERATION

A. Operations Plan

The Permittee shall keep the Operations Plan included in the Permit Application at the location designated in Section III-H of this Permit. The Permittee shall operate the Class IIIb Landfill in accordance with the operations plan. If necessary, the Permittee may modify the Operations Plan in accordance with R315-311 of the Utah Administrative Code. The Permittee shall note any modification to the Operations Plan in the daily operating record.

B. Security

The Permittee shall prohibit unauthorized entry to the facility. The Permittee shall:

1. Lock all facility gates and other access routes during the time the Class IIIb Landfill is closed.
2. Have at least one person employed by the Permittee at the Class IIIb Landfill during all hours that the Class IIIb Landfill is open.

3. Construct all fencing and any other access controls as shown in the Permit Application to prevent access by persons or livestock by other routes.

C. Training

The Permittee shall provide training for on-site personnel in landfill operation, including waste load inspection, hazardous waste identification, and personal safety and protection.

D. Burning of Waste

Open burning of waste is prohibited.

The Permittee shall extinguish all accidental fires as soon as reasonably possible.

E. Cover

The Permittee shall cover the waste or apply moisture as necessary to control fugitive dust. The Permittee shall record in the daily operating record and the operator shall certify, at the end of each day of operation when waste, cover and moisture are placed; the amount and type of cover placed and the area receiving cover.

F. Waste Inspections

The Permittee shall visually inspect incoming waste loads to verify that no wastes other than those allowed by this Permit are disposed in the Class IIIb Landfill.

Any waste received at the Class IIIb Landfill found to be unacceptable for disposal at the Class IIIb Landfill shall be disposed at an approved waste management facility.

G. Self-Inspections

The Permittee shall inspect the Class IIIb Landfill to prevent malfunctions and deterioration, operator errors, and discharges that may cause or lead to the release of wastes to the environment or create a threat to human health or the environment. The Permittee shall complete these general inspections no less than quarterly and shall cover the following areas: waste placement; fences and access controls; roads; run-on/run-off controls; ground water monitoring wells and records. The Permittee shall place a record of the inspections in the daily operating record. The Permittee shall correct the problems identified in the inspections in a timely manner and document the corrective actions in the daily operating record.

H. Recordkeeping

The Permittee shall maintain and keep on file at the RNI Corporate Office in Roosevelt, Utah, a daily operating record and other general records of the Class IIIb Landfill

operation as required by R315-302-2(3) of the Utah Administrative Code. The Class IIIb Landfill operator, or other designated personnel, shall date and sign the daily operating record at the end of each operating day. The daily operating record shall contain the following:

1. Records related to the daily landfill operation or periodic events including:
 - a. The number of loads of waste and the weights or estimates of weights or volume of waste received each day of operation and recorded at the end of each operating day;
 - b. Documentation of noncompliance with the approved plan of operation.

Results of other monitoring required by this Permit;

- d. Records of all inspections conducted by the Permittee, results of the inspections, and corrective actions taken; and
- e. Records of employee training.
- f. A copy of this Permit, including the Permit Application;
- g. Results of inspections conducted by representatives of the Director of the Division of Solid and Hazardous Waste, and of representatives of the local Health Department, when forwarded to the Permittee; and
- h. Closure and Post-closure care plans.

I. Reporting

The Permittee shall prepare and submit to the Director an Annual Report as required by R315-302-2(4) of the Utah Administrative Code. The Annual Report shall contain the information required by and be on the form approved by the Director.

J. Roads

The Permittee shall improve and maintain all access roads within the facility that are used for transporting waste to the Class IIIb Landfill to assure safe and reliable all-weather access.

IV. CLOSURE REQUIREMENTS

A. Closure

Final cover of the Class IIIb Landfill shall be constructed in accordance with Appendix J of the Permit Application.

B. Title Recording

The Permittee shall record a notice with the Uintah County Recorder as part of the record of title that the property has been used as a landfill in accordance with R315-302-2(6) of the Utah Administrative Code. The notice shall include waste disposal locations and types of waste disposed. The Permittee shall provide the Director a copy of the notice when recorded.

C. Post-Closure Care

The Permittee shall perform post-closure care after closure of the Class IIIb Landfill in accordance with the Post-Closure Care Plan. Post-closure care shall continue until all waste disposal sites at the Class IIIb Landfill have stabilized and the finding required by R315-302-3(7)(c) of the Utah Administrative Code is made.

D. Financial Assurance

The Permittee shall provide financial assurance for closure and post-closure, as described in Appendix K of the Permit Application, for the Class IIIb Landfill or another mechanism that meets the requirements of R315-309 of the Utah Administrative Code and is approved the Director.

E. Financial Assurance Annual Update

The Permittee shall submit an annual revision of closure and post-closure costs for inflation and financial assurance funding as required by R315-309-2(2) of the Utah Administrative Code to the Director as part of the annual report.

F. Closure Cost and Post-Closure Cost Revision

The Permittee shall submit a complete revision of the closure and post-closure cost estimates by the Closure Cost Revision Date listed on the signature page of this Permit and any time the facility is expanded, any time a new cell is constructed, or any time a cell is expanded.

V. ADMINISTRATIVE REQUIREMENTS

A. Permit Modification

Modifications to this Permit may be made upon application by the Permittee or by the Director. The Permittee shall be given written notice of any permit modification initiated by the Director.

B. Permit Transfer

This Permit may be transferred to a new permittee or new permittees in accordance with R315-310-11 of the Utah Administrative Code.

C. Expansion

Any expansion of the Class IIIb Landfill facility beyond the property boundaries designated in the description in the Permit Application (161 acres) shall require submittal of a new permit application.

Any addition to the list of acceptable waste in Section I-B shall require a permit modification in accordance with R315-311 of the Utah Administrative Code.

D. Expiration

If the Permittee desires to continue operating the Class IIIb landfill after the expiration date of this Permit, the Permittee shall submit an application for permit renewal at least six months prior to the expiration date, as shown on the signature (cover) page of this Permit. If the Permittee submits a timely permit renewal application and the permit renewal is not complete by the expiration date, this Permit shall continue in force until a new permit is issued.

E. Construction Approval and Request to Operate

The Permittee shall meet each of the following conditions prior to receipt of waste:

1. The Permittee shall notify the Director that all the requirements of this Permit have been met and all required facilities, structures and accounts are in place.
2. The Permittee shall submit to the Director, for approval, documentation that all local zoning requirements and local government approvals have been obtained for operation of this Class IIIb Landfill prior to construction of any portion of the Class IIIb Landfill; including offices, fences, and gates.
3. The Permittee shall obtain written approval from the Director, prior to receipt of waste, stating that all information required by this section has been submitted and the information meets the requirements of this Permit and R315-301 through 320 of the Utah Administrative Code.